IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.

CRIMINAL APPLICATION No. 3447 of 2007

Sarfaraz Alam Shaikh ..Applicant.

Vs.

The State of Maharashtra ..Respondent.

Mr H. E. Mooman, Advocate for the Applicant.

Mr S. D. Shinde, A.P.P. for the State.

CORAM: V. C. DAGA,J.

DATED: 25TH OCT, 2007.

P.C.:-

1. Heard learned counsel for the applicant and the learned APP for the State.

2. Perused application and the material available on record.

3. The applicant is seeking bail, under Section 439 of the Cr.P.C., in C.R. No.1 of 2007 registered with Dharavi Police Station, for the offence under Sections 387, 342, r/w 34 of the I.P.C.

4. Learned A.P.P. appearing for the State submits that the trial has already commenced, three witnesses are examined and three more are yet to be examined. In view of this

submission, at this stage, it would not be in the interest of justice to exercise power under Section 439 of the Cr.P.C.

5. In the result, the present application stands rejected.

(V.C. DAGA,J.)